

United States District Court

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for the

Jul 23, 2015

Eastern District of Washington

SEAN F. McAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Matthew John Devins

Case Number: 0980 4:14CR06051-SMJ-1

Address of Offender: [REDACTED]

Name of Sentencing Judicial Officer: The Honorable Salvador Mendoza, U.S. District Judge

Date of Original Sentence: October 5, 2011

Original Offense: Felon in Possession of a Firearm, 18 U.S.C. § 924(a)(2)

Original Sentence: Prison 37 months; TSR - 36 months Type of Supervision: Supervised Release

Asst. U.S. Attorney: Ian Garriques Date Supervision Commenced: October 25, 2013

Defense Attorney: Alex B. Hernandez, III Date Supervision Expires: October 24, 2016

PETITIONING THE COURT

To incorporate the violation contained in this petition in future proceedings with the violations previously reported to the Court on 07/13/2015.

The probation officer believes that the offender has violated the following condition of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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3	Special Condition # 19: You shall register as a sex offender, according to the laws of the state in which you reside, are employed, or are attending school. You shall provide verification of compliance with this requirement to the supervising officer.
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Supporting Evidence: Matthew Devins is considered to be in violation of his period of supervised release by failing to register as a sex offender in Benton County, Washington.

On May 12, 2015, the defendant's sister advised she was going to have the defendant removed from his residence located on 7th Avenue in Kennewick. The defendant advised this officer he was going to try and live with another sister in Kennewick, but would register as "homeless" as he was not sure he could stay there full time.

On June 3, 2015, the defendant noted on his monthly report that he was residing at his sister's on Rhode Island Court in Kennewick. He then advised he was going to reside with his brother on Newport in Kennewick. Again the defendant stated he would register as "homeless" until he could finalize a residence.

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The defendant entered chemical dependency treatment in Spokane on June 16, 2015, and was removed on July 6, 2015. When he reported to the probation office on July 7, 2015, he was asked if he had registered with the Benton County Sheriff's Office as homeless, and he replied that he had. The defendant noted on his monthly report that he was residing at his brother's home on Newport in Kennewick.

On July 16, 2015, prior to being arrested, the defendant was again asked if he had registered. He replied that he had. When asked whom he registered with, he stated, "Dianne." Dianne McCants is the registration officer for the Benton County Sheriff's Department. Mrs. McCants was not in the office from July 3, 2015, to July 20, 2015.

Contact was made with the Benton County Sheriff's Department and a request for the defendant's last registration address was made. The defendant last registered on March 4, 2015, at the address on 7th Avenue in Kennewick. He had not advised the Benton County Sheriff's Office of any changes in his address since that date. The defendant has three business days, excluding weekends and holidays, to report any change in his address to meet the requirements for registration. Failing to do so is a gross misdemeanor in the state of Washington.

I declare under penalty of perjury that the foregoing is true and correct.

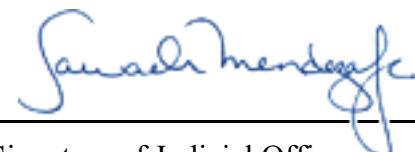
Executed on: 07/22/2015

s/David L. McCary

David L. McCary
 U.S. Probation Officer

THE COURT ORDERS

- No Action
- The Issuance of a Warrant
- The Issuance of a Summons
- The incorporation of the violation contained in this petition with the other violations pending before the Court.
- Defendant to appear before the Judge assigned to the case.
- Defendant to appear before the Magistrate Judge.
- Other



Signature of Judicial Officer

07/23/2015

Date